

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.3550 OF 2003
AND
CIVIL APPLICATION NO.2736 OF 2007
IN
FIRST APPEAL ST.NO.29797 OF 2003

.....
Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions
& Registrar's orders.
.....

Court's or
Judge's orders

.....
Mr.Vikas Mali for the Applicant
Mr.B.H.Mehta, A.G.P. for State

CORAM: A.S.OKA, J.
DATE : OCTOBER 18, 2007.

P.C.:

1. Heard Advocates for the parties. The Appellant State of Maharashtra has deposited the amount as per the Award with the Tribunal. It is stated in the Civil Application No.2736/2007 that the said amount was invested by the Tribunal in accordance with the directions contained in the Award for a period of three years and now the fixed deposit has matured.

2. As the first Appeal is admitted, the original claimants cannot be permitted to withdraw the amount unconditionally. The original claimants/applicants will be entitled to withdraw a sum of Rs.20,000/- each without security and the balance amount in equal shares on furnishing

security to the satisfaction of the Tribunal.

3. Hence, Civil applications are disposed of by passing the following order :

i) The tribunal will permit the original claimants to withdraw a sum of Rs.20,000/- each without security and the withdrawal of the amount will be subject to final outcome of the Appeal.

ii) The Tribunal will permit the claimants to withdraw the balance amount in equal shares on furnishing adequate security. The Appellant State of Maharashtra will be heard before accepting the security. In case the said balance amount is not withdrawn on furnishing security within a period of six months from today, the tribunal will invest the said amount in fixed deposit in any nationalised bank and the fixed deposit shall be renewed from time to time till the final disposal of the Appeal.

iii) Civil Applications are disposed of accordingly. Hearing of the First Appeal is expedited.

JUDGE